

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RowVaughn Wells, Individually and as)	
Administratrix of the Estate of Tyre Deandre)	
Nichols, Deceased,)	
)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:23-CV-02224-SHL-atc
)	JURY DEMAND
The City of Memphis, Tennessee; Chief Cerelyn)	
Davis; Emmitt Martin III;)	
Demetrius Haley; Justin Smith;)	
Desmond Mills, Jr.; Tadarrius Bean;)	
Preston Hemphill; Robert Long;)	
JaMichael Sandridge; Michelle Whitaker;)	
DeWayne Smith,)	
)	
Defendants.)	

**JOINT MOTION FOR EXPEDITED HEARINGS ON PENDING MOTIONS AND
INCORPORATED MEMORANDUM IN SUPPORT**

Defendants the City of Memphis (the “City”) and Chief Cerelyn J. Davis in Her Individual Capacity (“Chief Davis”), along with Plaintiff, RowVaughn Wells (collectively, the “Parties”), pursuant to Local Rule 7.2(d), respectfully request that the Court set hearings on the fully briefed motions outlined below:

- Plaintiff’s Motion for Protective Order (ECF No. 211)
- Plaintiff’s Motion to Seal Portions of City’s Filing (ECF No. 230) That Risk Harming Minor Child (ECF Nos. 234, 235)
- The City’s Motion to Vacate Plaintiff’s Improper Confidentiality Designations (ECF No. 286)
- Plaintiff’s Motion to Schedule Defense Pleading of Affirmative Defenses (ECF No. 293)

- Robert Long’s Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 300)
- The City’s Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 303)
- Michelle Whitaker’s Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 307)
- JaMichael Sandridge’s Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 308)
- Preston Hemphill’s and DeWayne Smith’s Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 314)
- Chief Davis’s Motion for Protective Order (ECF No. 348)
- The City’s Motion to Compel Production of Documents Pursuant to City’s Subpoenas *Duces Tecum* Propounded to Rodney Wells, Keyana Dixon, and Lenge Dupree (ECF No. 383)
- Chief Davis’s Motion to Quash Subpoena (ECF No. 409)
- The City’s Motion for Sanctions Against Plaintiff (ECF No. 412)
- Plaintiff’s Motion to Lift Stay on Proceedings (ECF No. 426)

As the Sixth Circuit has recognized, “[d]istrict courts, it is well understood, enjoy ‘broad discretion over docket control and the discovery process.’ ” *Hall v. Navarre*, 118 F.4th 749, 754 (6th Cir. 2024) (quoting *Pittman v. Experian Info. Sols., Inc.*, 901 F.3d 619, 642 (6th Cir. 2018)); see *Trepel v. Roadway Express, Inc.*, 194 F.3d 708, 716 (6th Cir. 1999) (“The Court has broad discretion over discovery matters.”). This discretion is not limited to routine scheduling but extends to the Court’s inherent authority to ensure the efficient and expedient resolution of cases. *Dietz v. Bouldin*, 579 U.S. 40, 47 (2016) (“[D]istrict courts have the inherent authority to manage their dockets and courtrooms with a view toward the efficient and expedient resolution of cases.”).

This inherent judicial power allows courts to “‘take a more active, hands-on approach to the management of pending litigation [...] in flexible pragmatic ways’.” *John B. v. Goetz*, 879

F.Supp.2d 787, 861 (M.D. Tenn. 2010) (quoting *In re San Juan Dupont Plaza Hotel Fire Litigation*, 859 F.2d 1007, 1011 n.2 (1st Cir. 1988)).

Here, the Parties face a number of fully briefed and interrelated motions that directly bear on the scope and conduct of discovery, as well as the overall progress of the case. Prompt and consolidated consideration of these motions will serve the interests of judicial economy, prevent unnecessary delay, and ensure that the parties are able to advance discovery in a number of areas implicated in the pending motions. In addition to the fully-briefed motions listed above, Plaintiff will soon be filing an opposed motion to amend the scheduling order, and intends to request a hearing on that forthcoming motion as well. The Court's exercise of its broad discretion to set expedited hearings on the matters currently in dispute is therefore not only appropriate, but necessary to facilitate the orderly and efficient administration of this matter.

CONCLUSION

The Parties respectfully request that the Court set expedited hearing dates to address all motions identified herein.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.**

/s/ Bruce McMullen

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CERTIFICATE OF CONSULTATION

I, Bruce McMullen, hereby certify that on July 7, 2025, counsel for the City Defendants consulted with counsel for the various parties via email regarding the relief sought in this Motion. The Parties were asked whether they oppose the relief requested in this Motion. A chart detailing the Parties' responses is below:

Party	Responding Counsel	Opposition?
Plaintiff	Josh Levin	No - Joint Movant
Hemphill	Betsy McKinney	No
D. Smith	Betsy McKinney	No
J. Smith	Martin Zummach	No
Long	Darrell O'Neal	No
Sandridge	Laura Smittick	No
Whitaker	Jarrett Spence	No
Haley	Steven Leffler	No
Bean	John Keith Perry	No
Martin III	Florence Johnson	No
Mills, Jr.	No response	

s/ Bruce McMullen

Bruce McMullen

CERTIFICATE OF SERVICE

I, Bruce McMullen, hereby certify that on July 8, 2025, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, and that upon filing, such system will serve a copy of the foregoing upon all counsel of record in this action.

s/ Bruce McMullen

Bruce McMullen